

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

JEREMY NANCE,

Defendant.

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Case No. 8:08CR449

ORDER

This case is before the court on the defendant Jeremy Nance's Motion to Review Detention and Request for Evidentiary Hearing (#16). The motion is denied. The defendant's proposed plan for placement with a third-party custodian does not alleviate the court's concerns set out in the December 19, 2008 Detention Order (#11), nor does the plan present sufficient evidence to overcome the presumption of detention set out in 18 U.S.C. § 3142(e).

The defendant, given his age (23), has a significant criminal record including convictions for failure to appear, carrying a concealed weapon, and felony possession of a controlled substance. Additionally, on December 13, 2007, the defendant was terminated unsatisfactorily from the Douglas County Drug Program and sentenced to 18 months in prison.

IT IS ORDERED the defendant's Motion to Review Detention (#16) is denied without hearing.

Dated this 20th day of January 2009.

BY THE COURT:

S/ F. A. Gossett
United States Magistrate Judge